

TITLE 3: HEALTH AND SANITATION AND ANIMAL REGULATIONS

DIVISION 2: ANIMALS

Chapter 5: Livestock.

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32.051 Definitions.

The term "Public Health Veterinarian" shall include any veterinarian of the County so designated in the County Health Department, and shall include and mean the same officer formerly designated as County livestock inspector, and shall be deemed a continuation of the same office, and shall include all powers, duties, and prerequisites of the former office, except as in this chapter otherwise set forth.

The word "person" as used herein shall be construed to mean any person, firm, company, association, or corporation, their agents or employees.

The term "livestock" as used herein shall be construed to mean any horses, mules, asses, cattle, sheep, goats, hogs, poultry, rabbits, dogs, or any animal or animals ordinarily considered as wild animals which are kept in captivity or under control or ownership of any person for any purpose.

The term "immediate slaughter" as used herein shall be construed to mean and apply to livestock shipped to the plant or premises of a firm regularly engaged in the slaughter of animals under approved inspection.

The term "stockyards" as used herein shall be construed to mean and apply to any stockyard, corral, or premises wherein public trading in livestock is carried on, or where yarding, feeding and watering facilities are provided, and where Federal, State or County inspection is maintained for the inspection of livestock for infectious diseases.

The term "tuberculin test" as used herein shall be construed to mean any test approved by the Agricultural Research Service, United States Department of Agriculture, for the detection of tuberculosis in animals.

The term "infectious disease" as used herein shall be construed to include any infectious, contagious, or communicable diseases considered by the Public Health Veterinarian to be dangerous to the welfare of the County of San Bernardino and to the health of the livestock therein, sufficient to warrant putting into effect the provisions of this chapter and his rules and regulations.

An "accredited veterinarian" is one who shall have passed an examination conducted by the Director of Animal Industry of the State Department of Agriculture of California and the United States Agricultural Research Service, and whose name is upon the list of veterinarians approved by the United States Department of Agricultural Research Service.

A "modified accredited area" is an area declared by the Chief of the United States Agricultural Research Service when the percentage of tuberculosis cattle therein is reduced to meet the requirements of "modified accredited areas" as adopted by the United States Agricultural Research Service.

Adopted Ordinance #970 (1961); Amended Ordinance #3105 (1986);

32.052 Duties of Public Health Veterinarian.

It shall be the duty of the Public Health Veterinarian, acting in cooperation with the State Veterinarian, to enforce all laws of the State of California and all lawful ordinances and regulations passed, enacted, promulgated, or approved by the Board of Supervisors of the County of San Bernardino, pertaining to the health and sanitary environment of the livestock of the County.

The County Public Health Veterinarian is empowered to establish, maintain, and enforce such quarantine, sanitary, and immunizing measures and promulgate such rules and regulations as he may deem necessary and which shall be approved by the Board of Supervisors.

Adopted Ordinance #527 (1958); Amended Ordinance #3105 (1986);

32.053 Quarantine.

The Public Health Veterinarian shall regulate the movement and transportation of livestock from stockyards, corrals, feed yards, and other places; examine and test, or supervise examination and testing of animals and premises for the presence of infections or communicable diseases; provide for the sanitation of plants and premises upon which livestock are kept, sold, or confined; and enforce such ordinances and regulations as may be adopted to promote and protect livestock and people from diseases and conditions adversely affecting their health. He shall investigate cases and outbreak of infections and communicable diseases, the presence of which may constitute a menace to the health of livestock and the human population of the County.

(a) **LIVESTOCK WITH INFECTIOUS DISEASE OUTSIDE THIS COUNTY.** When the Public Health Veterinarian shall have determined that an infectious disease exists among livestock in any other county or area of the State of California and the importation of livestock from such county or area might spread such disease among the livestock within the County of San Bernardino, the Public Health Veterinarian shall notify the Board of Supervisors thereof, designating and describing the county or area wherein such disease has been found and shall, with their approval, establish quarantine restrictions against such county or area as the circumstances shall warrant. The Public Health Veterinarian may refuse to permit shipments of livestock originating in such areas to enter the County of San Bernardino unless accompanied by a certificate signed by a State or Federal veterinarian which shall satisfactorily prove that there is no possibility that the livestock for which such certificate is issued are infected with or exposed to all infection from such disease.

(b) **INVESTIGATION OF DISEASED LIVESTOCK WITHIN THIS COUNTY.** Upon information received by the Public Health Veterinarian of any infectious disease affecting livestock within the County of San Bernardino, he shall proceed to thoroughly investigate the same. The Public Health Veterinarian is hereby empowered to enter any premises where livestock is kept, or on which he has reason to believe that livestock is kept, in order to carry into effect the provisions of this chapter, and it shall be unlawful for any person to interfere with the official action of the Public Health Veterinarian. The Public Health Veterinarian may quarantine, for a reasonable period of observation and until such tests as may be required to ascertain the presence or absence of any infectious disease are completed, any animals which are suspected of being infected with or exposed to an infectious disease. Upon discovery of any infectious disease affecting livestock in the County of San Bernardino, the Public Health Veterinarian shall have the power and it shall be his duty to establish such quarantine, sanitation, testing, immunizing and police regulations as may be necessary to control or eradicate such diseases and prevent the spread thereof to other livestock. The Public Health Veterinarian may quarantine any livestock which may have been located upon the land or premises where such diseased livestock has been kept, and thereafter it shall be unlawful for any person to break such quarantine or to move or allow to be moved any such livestock from within the premises thus quarantined, or across the quarantine line so established, without first obtaining from the Public Health Veterinarian a permit to do so. If the Public Health Veterinarian shall deem it proper to issue such a permit, after inspection he may cause such

livestock, premises, and vehicles of transportation and any infected material, equipment or effects to be properly cleaned and disinfected.

(c) **DAMAGE OR REMOVAL OF QUARANTINE NOTICES.** It shall be unlawful for any person during the existence of such quarantine to remove, tear, deface, mutilate, obscure, or otherwise destroy or in any other manner whatsoever interfere with any placard, notice, or proclamation declaring such quarantine, placed on or about the premises on which any of said animals so quarantined are located.

(d) **CONTAINMENT OF CATTLE.** It shall be unlawful for any person to permit any livestock so quarantined to have access to any irrigation ditch, stream, or other channel in which water is running, or to allow such livestock to come in contact with other livestock which may have access to any irrigation ditch, stream or other channel so mentioned, or to permit the depositing in such irrigation ditch, stream, or channel of any manure, offal, excrement or material which might carry infection, or to allow the drainage from any premises so quarantined to come in contact with such irrigation ditch, stream or other channel aforementioned.

Adopted Ordinance #527 (1958); Amended Ordinance #3105 (1986);

32.054 Cattle Disease.

(a) **GLANDERS.** It shall be the duty of the Public Health Veterinarian, whenever the fact shall have been determined by him that any livestock is affected with the disease known as glanders, to kill such diseased livestock and have the premises thoroughly cleaned and disinfected, and to order the owner of such livestock to cremate or bury such livestock. If the owner of such livestock fails, neglects or refuses to bury or cremate same within a period of twenty-four (24) hours from the issuance of such order, the Public Health Veterinarian shall cause the same to be buried or cremated at the expense of the County, and the expense of such burial or cremation shall be charged against such owner to be recovered by action in the name of the County of San Bernardino.

(b) **FOOT AND MOUTH.** When the Public Health Veterinarian shall have reason to believe that there is a possibility that foot and mouth disease exists on any premises in the County of San Bernardino, he shall have the power to enter said premises and to place and keep thereon such animals as may be necessary to determine the presence of foot and mouth disease in accordance with the rules and regulations of the United States Bureau of Animal Industry, and to keep them there under his supervision and control for a period not to exceed fifty (50) days.

Adopted Ordinance #527 (1958); Amended Ordinance #3105 (1986);

32.055 Public Health Veterinarian Advisory Duties.

The County Public Health Veterinarian shall also serve as:

(a) Advisor and consultant in the Rabies Control Program.

(b) Consultant to the Glen Helen Ranch manager or his successor, and shall supervise the health of all animals kept by the County.

Adopted Ordinance #527 (1958); Amended Ordinance #3105 (1986);

32.056 Permits for Removal of Livestock.

(a) **REMOVAL OF LIVESTOCK FROM SLAUGHTERHOUSE.** It shall be unlawful for any person to remove or to allow to be removed except for immediate slaughter, any livestock from any stockyard owned, controlled or operated by or in connection with or incidental to the operation of any slaughter or packing house, except on permits issued by the Public Health Veterinarian.

(b) **REMOVAL OF LIVESTOCK FROM STOCKYARD, CORRAL.** It shall be unlawful for any person to remove or to allow to be removed, any livestock from any stockyard, corral or premise maintained for the feeding or conditioning of livestock for any purpose other than immediate slaughter without having secured permit from the Public Health Veterinarian.

(c) **INSPECTION OF LIVESTOCK; CONDITIONS OF PERMIT.** The Public Health Veterinarian shall issue permits for the removal of livestock from stockyards, upon finding by inspection that such livestock is free from any infectious disease. Findings as to the presence or absence of such infectious disease shall be final; provided however, that such permit may be granted conditional on such treatment, immunizing, dipping or other curative or preventative measures as may be necessary for the public welfare.

Adopted Ordinance #527 (1958); Amended Ordinance #3105 (1986);

32.057 Importation of Livestock and Tuberculosis Control.

(a) **LIVESTOCK AFFECTED WITH CONTAGIOUS, INFECTIOUS, OR COMMUNICABLE DISEASE.** It shall be unlawful for any person to bring into or receive in, or to transport from place to place within the County of San Bernardino, except for the purpose of immediate slaughter, any livestock affected with any contagious, infectious or communicable disease, without a permit from the Public Health Veterinarian, except such diseased animals as are specifically permitted to enter the State of California and the County of San Bernardino under Federal or California

State regulations and only under the conditions and for the purpose prescribed in the Federal and State regulations governing movement of livestock.

(b) **LIVESTOCK PLACED IN AN APPROVED STOCKYARD.** It shall be unlawful for any person to bring into or receive in the County of San Bernardino, any cattle, sheep, swine, or goats for any purpose other than immediate slaughter without a permit from the Public Health Veterinarian; provided however, that such cattle, sheep, swine, horses, or goats, other than cattle imported for dairy or breeding purposes, are unloaded from a vehicle into public stockyards where Federal, State, or County inspection is maintained for the inspection of livestock for infectious diseases, such permit shall not be required until they are to be removed from such stockyards. Such stockyards shall be approved by the Public Health Veterinarian and shall be so constructed as to permit human handling, proper control without inhumane crowding or delay, and thorough inspection including provision for restraining individual animals. They shall permit animals to be fed, rested, and watered with sufficient potable water. Proper drainage, and facilities for disinfections when required by the Public Health Veterinarian, and provisions for the removal of accumulations of manure and the prevention of the formation of mud and wallow, shall be supplied. Such approval may be withdrawn in the event such stockyards at any time fail to comply with the requirements of this section.

(c) **REMOVAL OF LIVESTOCK TO PUBLIC STOCKYARD.** All livestock entering the County of San Bernardino for the purpose of immediate slaughter by any method of transportation or by driving on hoof, must be moved directly to a public stockyard or to the premise upon which they are to be slaughtered, except that such livestock in railroad shipments may be unloaded enroute in order to comply with the provisions of what is known as the "twenty-eight hour law" of the United States Department of Agriculture.

(d) **REPORT OF ARRIVAL.** Immediately upon the arrival of the cattle into the County of San Bernardino, the fact of such arrival shall be reported to the Public Health Veterinarian. The Public Health Veterinarian shall mark the cattle for identification with tags or otherwise, and make a record showing the date of arrival, description of the cattle, the name of the owner and of the person in charge of the cattle, and the place in which they are to be kept. No person shall remove or tamper with any identification mark placed on an animal by the Public Health Veterinarian for the purpose of identification.

(e) **RESTRICTIONS ON THE MOVEMENT OF IMPORTED CATTLE.** No person shall sell any cattle or move cattle from place to place within a period of one hundred twenty (120) days after their arrival, unless such cattle have been released by the Public Health Veterinarian.

(f) **TUBERCULIN TEST.** No person shall inject or cause to be injected, tuberculin into any cattle brought into the County of San Bernardino for a period of one hundred twenty (120) days after their arrival, except by permission of the Public Health Veterinarian.

(1) **Restrictions on Injection.** No person shall inject or cause to be injected, tuberculin into any cattle except when used in connection with a tuberculin test as defined in Section 32.051 of this chapter.

(2) **Records.** The following records of all cattle tuberculin tested in San Bernardino County must be filed with the Public Health Veterinarian within five (5) days after completion of the test: Owner, address or location of herd, number of cattle in the herd, number of cattle tested, number of cattle reacting, such description as would identify each animal tested, identification number of each animal tested.

(3) **Removal of Cattle Before Completion.** No person shall move from any premise, any cattle upon which a tuberculin test has been started until the same shall have been completed, without the permission of the veterinarian conducting such test, nor in any way interfere with the proper conduction of such test, after it shall have been started.

(g) **QUARANTINE.** Whenever the Public Health Veterinarian shall have cause to believe that there is danger that any cattle brought into the County of San Bernardino are afflicted with tuberculosis, he shall cause such cattle to be examined and tested for tuberculosis. Such test or tests may be made at any time within one hundred twenty (120) days after the arrival of such cattle into the County of San Bernardino.

(h) **PROHIBITING THE SALE OF UNTESTED CATTLE.** It shall be unlawful for any person to sell or offer for sale any cattle for dairy or breeding purposes in the County of San Bernardino, unless such cattle have been examined and tested for tuberculosis within thirty (30) days preceding such sale, by a Federal or State veterinarian, or the Public Health Veterinarian, or by a veterinarian duly authorized by such officials to apply such test; provided that this section shall not apply to cattle which have been regularly tested by representatives of the Federal or State Department of Agriculture under the laws, rules and regulations applicable to dairies operating under the Federal Accredited Herd Plan or the Agricultural Code of the State of California; and further provides that the thirty-day period may be waived by the Public Health Veterinarian.

(i) **EXPENSE OF TEST.** Whenever an owner requests of the Public Health Veterinarian that his cattle be tested for tuberculosis, the expense of such test shall be borne by the owner, unless said request shall be made under the provisions of the Agricultural Code of the State of California, and said owner shall agree in writing to conform in all respects to said State law and the rules and regulations of the Public Health Veterinarian applying to tuberculin tests and disposal of reacting animals, provided that whenever five (5) or less cattle are sold for dairy and breeding purposes and a test for tuberculosis is required under the provisions of this chapter, the Public Health Veterinarian shall, at the request of the owner thereof, conduct one such test without charge, within a period of six (6) months.

(j) **IDENTIFICATION OF CATTLE AFFECTED WITH TUBERCULOSIS SLAUGHTER RESTRICTED.** All cattle which are shown by examination or by tuberculin test to be afflicted with tuberculosis shall be immediately marked for identification by branding the letter "T" on the left jaw. The letter "T" used for the branding of reacting animals shall be three (3) inches in height from top to bottom and three (3) inches wide at the top, and the branding edge shall not be less than one-quarter (¼) of an inch in width. No animals so branded shall be slaughtered or disposed of in any manner whatsoever, or removed from the premises where located when branded, unless permission is first obtained from the Public Health Veterinarian or from the Director of the State Department of Agriculture.

(k) **LIVESTOCK TO BE CONFINED FOR EXAMINATION AND TESTING.** The owner or person in charge of livestock shall properly confine in stanchions or chutes any livestock which the Public Health Veterinarian may designate for the purpose of examination, injection, observation, administration of tuberculin, mallein, or other specific tests or procedures. If the owner or person in charge refuses to properly confine such livestock for examination or test within twenty-four (24) hours after he is requested to do so by the Public Health Veterinarian, the Public Health Veterinarian may employ help and incur such expense as is necessary to properly control such livestock for the purposes mentioned. The expense so incurred shall be a lien upon said livestock and shall be recovered by action in the name of the County of San Bernardino, unless paid within ten (10) days after written notice of the amount has been given by the Public Health Veterinarian to the owner or person in possession of said livestock.

(l) **DISPOSITION OF LIVESTOCK IN VIOLATION OF THIS CHAPTER.** All livestock brought into the County of San Bernardino in violation of any of the provisions of this chapter shall be subject to quarantine, examination and test at the expense of the owner, by the Public Health Veterinarian who may dispose of such livestock to comport with the welfare of the County of San Bernardino and the protection of the health of the domestic livestock therein.

Adopted Ordinance #527 (1958); Amended Ordinance #3105 (1986);

32.058 Duty to Report Information.

It is hereby made the duty of any person suspecting or having knowledge of the presence of any infectious diseases in livestock, to report the same to the Public Health Veterinarian. It shall be the duty of any person owning or having control of livestock to assist the Public Health Veterinarian to enforce the provisions of this chapter, to obey all orders of the Public Health Veterinarian made for the control and eradication of infectious diseases, the sanitation of premises, destruction of livestock, and disposal of carcasses, manure, offal, refuse, condemned meat and meat products.

Adopted Ordinance #527 (1958); Amended Ordinance #3105 (1986);

32.059 Maintenance of Places Where Livestock are Kept or Meat Products are Prepared.

It shall be unlawful for any person to maintain a rat menace where livestock is kept. Every premise where livestock is kept, fed, stabled or otherwise cared for, or any premise on which a hog ranch or slaughter house is maintained, or where meat products are prepared for food, shall be kept in a clean and sanitary condition.

Adopted Ordinance #527 (1958); Amended Ordinance #3105 (1986);

32.0510 Miscellaneous Regulations.

(a) **DUTY TO REPORT INFORMATION.** Upon the discovery of any contagious or infectious disease, it shall be the duty of the Public Health Veterinarian to immediately notify the State Veterinarian, setting forth the place, facts and circumstances of said cases.

(b) **DISTRIBUTION OF MILK OR CREAM FROM DISEASED CATTLE - PROHIBITED.** It shall be unlawful for any person or persons, firm or corporation to sell or offer for sale, or to use or give away in the County of San Bernardino, any milk or cream drawn from a cow known to be affected with tuberculosis, anthrax, or any other contagious or infectious diseases.

(c) **SANITARY CONDITIONS FOR PLACES HOUSING CATTLE AND FOR MILK PROCESSING EQUIPMENT.** All dairies or other places within the County of San Bernardino, where cows are kept for the purpose of supplying milk or cream, or their products to be sold, shall be kept in a clean and sanitary condition, and all milk-handling and processing equipment used in or about said dairies or other places where cows are kept for the purpose of supplying milk or cream or their products, shall be thoroughly sterilized in accordance with applicable sections of the Agricultural Code and Agriculture Administrative Code.

(d) **SANITARY CONDITIONS OF PLACES SUPPLYING MEAT AND FISH PRODUCTS.** All slaughter houses, markets and other places within the County of San Bernardino, from which meat, poultry, fish or game are supplied for human consumption shall be kept in a clean and proper sanitary condition.

(e) **CONFLICT OF THIS DIVISION WITH STATE AND FEDERAL LAWS.** No part or parts of this chapter shall be construed so as to prohibit or prevent the transportation of cattle through this County when such cattle are confined within railroad cars in conformity with State and Federal laws.

(f) PENALTIES. Any owner or person in charge of livestock who causes a violation of this chapter, or of any regulation established by the authority of this chapter, or any person who violates or fails or refuses to comply with any provision of this chapter and regulations pertaining thereto, is guilty of a misdemeanor, and shall be subject to a fine of not more than five hundred dollars (\$500) or imprisonment in the County Jail of not more than six (6) months, or by both such fine and imprisonment.

Adopted Ordinance #527 (1958); Amended Ordinance #3105 (1986);

32.0511 Adopted Ordinance #1962 (1974); Repealed by Ordinance 3105 (1986).